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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/825,023	04/03/2001	Shigeki Sakurai	1232-4703	3855
27123	7590	07/12/2005	EXAMINER	
MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101			SINGH, SATWANT K	
			ART UNIT	PAPER NUMBER
			2626	

DATE MAILED: 07/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/825,023	SAKURAI, SHIGEKI	
	Examiner	Art Unit	
	Satwant K. Singh	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 04 April 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-11 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
- 1.) Certified copies of the priority documents have been received.
 - 2.) Certified copies of the priority documents have been received in Application No. _____.
 - 3.) Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This office action is in response to the amendment filed on 04 April 2005.

Response to Arguments

2. Applicant's arguments with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Joffe et al. (US 6,671,061).

5. Regarding Claim 1, Joffe et al disclose an Internet facsimile gateway apparatus that is connected to a general switched telephone network and an IP network and relays facsimile communication between said general switched telephone network and said IP network, comprising: first communicating means for performing procedural processing of facsimile transmission in said general switched telephone network (Fig. 1, telephone

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company (telco) transmission lines 18); second communicating means for performing procedural processing of facsimile transmission in said IP network (Fig. 1, communication interface 26); and controlling means for controlling a transmission timing of a signal transmitted from said first communicating means based on a signal received by said second communicating means (fill bit generator block 38), wherein the signal transmission timing is controlled to transmit the signal at a time that prevents a transmission delay via said IP network from causing a corresponding delay in signaling over said general switched telephone network such that the corresponding delay would prevent normal facsimile communication (the longer the requirement for the minimum scan line time, the greater the number of appended fill bits associated with each fax scan line) (col. 6, lines 47-58).

6. Regarding Claim 2, Joffe et al disclose an Internet facsimile gateway, wherein said controlling means has a pseudo signal generating means (fill bits 42) for generating a pseudo signal of a control signal to be used in procedures of facsimile transmission in said general switched telephone network, and, after said second communicating means receives a predetermined signal, transmits said pseudo signal after a predetermined time via said first communicating means (scan line time) (col. 7, lines 4-7).

7. Regarding Claim 3, Joffe et al disclose an Internet facsimile gateway, wherein after said second communicating means accumulates received signals for a predetermined period of time, said controlling means transmits the accumulated signals via said first communicating means (scan line) (col. 7, lines 8-16).

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8. Regarding Claim 4, Joffe et al disclose an Internet facsimile gateway, wherein said pseudo signal is a signal for establishing synchronism between transmission/reception apparatuses (the longer the requirement for the minimum scan line time, the greater the number or appended fill bits associated with each fax scan line) (col. 6, lines 47-58).

9. Regarding Claim 5, Joffe et al disclose an Internet facsimile gateway, wherein said predetermined period of time is a length of time defined by procedures for facsimile transmission in said general switched telephone network (minimum scan line time) (col. 5, lines 28-42).

10. Claims 6 and 11 are rejected for the same reason as claim 1.

11. Claim 7 is rejected for the same reason as claim 2.

12. Claim 8 is rejected for the same reason as claim 3.

13. Claim 9 is rejected for the same reason as claim 4.

14. Claim 10 is rejected for the same reason as claim 5.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lin (US 5,546,388) discloses a packet switched facsimile network and method of operation.

Burkitt (US 6,195,348) discloses a technique for transmitting facsimile images over a data network.

Chimura et al. (US 6,335,803) discloses a facsimile communication system.

Joffe (US 6,559,980) discloses a fax system employed in a packet switching network environment.

16.. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Satwant K. Singh whose telephone number is (571) 272-7468. The examiner can normally be reached on Monday thru Friday 8am - 4:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on (571) 272-7471. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Satwant Singh
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Satwant K. Singh
Examiner
Art Unit 2626

Kimberly Williams
KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER